

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

June 11, 1959
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Miller presiding.

Roll call:

Present: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Absent: None

Present also: Reuben Rountree, Jr., Acting City Manager; Doren R. Eskew, City Attorney; Robert A. Miles, Chief of Police.

Invocation was delivered by REV. GENE RUTLEDGE, Koenig Lane Christian Church, 908 Koenig Lane.

Councilman White moved that the Minutes of the Meeting of June 4, 1959, be approved. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

MRS. JAMES D. SEALS represented a group from the St. Elmo area asking for a playground in the neighborhood; and if necessary that funds be provided in the next budget for extra land. She asked for part time supervision for this summer, where some recreation could be provided now, and that a real playground with equipment and a pool be considered for the future. It was suggested by Councilman Palmer that the group select about three members and work with the Director of Recreation to see what all could be worked out. The Mayor said that possibly a small amount could be appropriated to get them started, and after the group talked to the Recreation Director that some supervision and organized play could be provided. The Acting City Manager, Reuben Rountree, made a report on plans for a playground stating that it could be worked out nicely on the school site, but there was no money in this year's budget. The Mayor stated some two or three hundred dollars might be appropriated. It was also suggested that possibly private capital could be obtained to supplement the Recreation budget through the P.T.A. or other solicitation means.

In connection with the pending matter of the opening or vacating of East 9th Street between Trinity and Neches, Councilman Bechtol asked MR. TRAVIS LONG to review the plans of the Interregional Highway between 6th and 11th Streets. MR. TRAVIS LONG showed the pattern of the cross-streets of the Interregional between 11th and 6th and explained the plans in detail. After a brief discussion, Councilman Palmer moved that the City Attorney be instructed to bring in an ordinance closing East 9th Street from Trinity to Neches. The motion, seconded by Councilman Bechtol, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, Mayor Miller
Noes: Councilman White

Mayor Miller introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, JULY 17, 1941, AND RECORDED IN ORDINANCE BOOK "L", PAGES 152-174, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN PASSED BY THE CITY COUNCIL, APRIL 23, 1931, AND RECORDED IN BOOK "I", PAGES 301-318, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY CHANGING THE FOLLOWING: (1) THE SOUTH 61.3 FEET OF LOT 17, HENGENERS SUBDIVISION, LOCALLY KNOWN AS 2804 WEBBERVILLE ROAD, FROM "C" COMMERCIAL DISTRICT TO "C-1" COMMERCIAL DISTRICT; (2) THE EAST 60 FEET OF THE NORTH 140 FEET OF LOT 2, THE NORTH 130 FEET OF LOT 3, AND THE WEST 10.4 FEET OF THE NORTH 130 FEET OF LOT 4₃ BLOCK M, RIDGETOP ADDITION, LOCALLY KNOWN AS 1009-1023 EAST 52ND STREET AND 5104-5106 INTERREGIONAL HIGHWAY, FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT AND FIFTH HEIGHT AND AREA DISTRICT TO "LR" LOCAL RETAIL DISTRICT AND FIFTH HEIGHT AND AREA DISTRICT; AND (3) LOTS 1-6, BLOCK 11, ALTA VISTA SUBDIVISION FROM "A" RESIDENCE DISTRICT TO "LR" LOCAL RETAIL DISTRICT; ALL OF SAID PROPERTY BEING LOCATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE AND HEIGHT AND AREA MAPS SO AS TO RECORD THE CHANGES HEREBY ORDERED; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Palmer moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The ordinance was read the second time and Councilman Palmer moved that

the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The ordinance was read the third time and Councilman Palmer moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Miller brought up the following ordinance for its second reading:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, JULY 17, 1941, AND RECORDED IN ORDINANCE BOOK "L", PAGES 152-174, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN PASSED BY THE CITY COUNCIL, APRIL 23, 1931, AND RECORDED IN BOOK "I", PAGES 301-318, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY CHANGING THE USE DESIGNATION FROM "B" RESIDENCE DISTRICT TO "C" COMMERCIAL DISTRICT ON LOT 32 AND THE WEST 60 FEET OF LOTS 30 AND 31, LOUIS HORST'S SUBDIVISION, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE MAPS SO AS TO RECORD THE CHANGE HEREBY ORDERED; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the second time and Councilman White moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The ordinance was read the third time and Councilman White moved that the ordinance be finally passed. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The Mayor announced that the ordinance had been finally passed.

The City Attorney made a report on some agreements discussed with Mr. Nelson Puett, regarding the zoning application of the BOARD OF TRUSTEES, LULING PUBLIC SCHOOLS, 4814 East Avenue from "A" Residence to "GR" General Retail (amended to "B" Residence). Mr. Tom Gee represented the applicants. After discussing the agreements, Councilman Palmer moved that subject to the approval of Mr. Gee's client, that the City Attorney be instructed to embody in an ordinance the change of zoning from "A" Residence to "GR" General Retail with the height reserved as presented by the City Attorney; also a resolution stating that in no wise will the property owner's air rights be invalidated by the City's acquisition of the neighboring or this property. The motion, seconded by Councilman Bechtol, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Shurr Construction Company is the Contractor for the alteration of a building located at 103-105 East 8th Street and desires a portion of the sidewalk and street space abutting Lot 6, Block 84, of the Original City of Austin, Travis County, Texas, during the alteration of the building, such space to be used in the work and for the storage of materials therefor; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

1. THAT space for the uses hereinabove enumerated be granted to said Shurr Construction Company, the boundary of which is described as follows:

Sidewalk and Street Working Space

Beginning at a point 24 feet west of Congress Avenue alley on the south right of way line of East 8th Street; thence in a northerly direction and at right angles to the centerline of East 8th Street to a point 12 feet north of the south curb line; thence in a westerly direction and parallel with the centerline of East 8th Street approximately 60 feet to a point; thence in a southerly direction and at right angles to the centerline of East 8th Street to the north line of the above described property.

2. THAT the above privileges and allotment of space are granted to the said Shurr Construction Company, hereinafter termed "Contractor", upon the following express terms and conditions:

(1) That the Contractor shall construct a 4-foot walkway within the outer boundaries of the above described working space, such walkway to be protected on each side by a guard rail at least 4 feet high and substantially braced and anchored, and without wood strips or obstructions of any kind along the pavement within the walkway, and at any time in the opinion of the City officials it becomes necessary for any reason to install a board floor within the walkway, the Contractor shall upon notice from the Building Inspector immediately place such a wood floor and substantially support same to prevent sagging under load.

- (2) That the Contractor is permitted to construct in his working space a substantial gate which shall be kept closed at all times when not in use, and at all times that such gate is open, the Contractor shall maintain a person at this gate to warn pedestrians and vehicles of approaching trucks. This gate is not to open out so as to impede vehicular or pedestrian traffic.
- (3) That no vehicles in loading or unloading material at the working space shall park on any part of the street outside of the allotted working space.
- (4) That "No Parking" signs shall be placed on the street side of the barricades.
- (5) That the Contractor is permitted to construct a temporary work office within such allotted working space provided such work office is not within 25 feet of any corner street intersection.
- (6) That the Contractor shall in no way obstruct any fire plugs or other public utilities in the construction of such barricades.
- (7) That provisions shall be made for the normal flow of all storm waters in the gutter and the Contractor will be responsible for any damage done due to obstruction of any such storm water.
- (8) That the Contractor shall place on the outside corners of any walkway, barricades or obstructions, red lights during all periods of darkness and provide lighting systems for all tunnels.
- (9) That the Contractor shall remove all fences, barricades, loose materials and other obstructions on the sidewalk and street immediately after the necessity for their existence on said sidewalk or street has ceased, such time to be determined by the City Manager, and in any event all such sidewalk, barricades, materials, equipment and other obstructions shall be removed not later than August 1, 1959.
- (10) That the City reserves the right to revoke at any time any and all the privileges herein granted or to require the erection or installation of additional barriers or safeguards if the conditions demand it.
- (11) That the use and enjoyment of the spaces herein granted shall not be exclusive as against public needs, and the City, in making such grant reserves the right to enter and occupy any part or all of said space any time with its public utilities, or for other necessary public purposes.
- (12) That any public utility, or public or private property disturbed or injured as a result of any of the activities necessary for the completion of the construction work for said building projects, whether done by the Contractor, City Forces, or public utilities, shall be replaced or repaired at the Contractor's expense.
- (13) That the Contractor shall furnish the City of Austin a surety bond in the sum of Five Thousand Dollars (\$5,000) which shall protect, indemnify and hold harmless the City of Austin from any claims or damages to any person or property that may accrue to or be brought by any person by reason of the exercise or abuse of the privileges granted the Contractor by the City of

Austin and shall guarantee the replacement of all sidewalks, pavement and all other public property and public utilities disturbed or removed during the construction work and shall further guarantee the construction of a walkway and other safeguards during the occupancy of the space.

The motion, seconded by Councilman Perry, carried by the following vote:
Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

Mayor Miller introduced the following ordinance:

AN ORDINANCE PERPETUALLY VACATING AND CLOSING, TO PUBLIC TRAVEL, THAT CERTAIN PORTION OF DUVAL STREET, LYING EAST OF THE PRESENT EAST LINE OF SAN JACINTO STREET AND SOUTH OF THE SOUTH LINE OF PARK PLACE, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman White moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Bechtol, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The ordinance was read the second time and Councilman White moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Bechtol, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The ordinance was read the third time and Councilman White moved that the ordinance be finally passed. The motion, seconded by Councilman Bechtol, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The Mayor announced that the ordinance had been finally passed.

Councilman Bechtol offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City of Austin owns 2,035 square feet of land at the southeast corner of the intersection of San Jacinto and Park Place in the City of Austin, Travis County, Texas; and,

WHEREAS, such 2,035 square feet of land is not now needed by the City of Austin for public purposes, and will not be needed in the future; and,

WHEREAS, the City Council of the City of Austin deems it to be in the public interest to make this property available for development in connection with the property immediately to the east of such City owned tract of land; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That S. Reuben Rountree, Jr., Acting City Manager of the City of Austin, be and he is hereby authorized to convey the hereinafter described tract of land to A. Roy Thomas and E. C. Thomas, said tract of land being more particularly described as follows, to wit:

2,035 square feet of land, same being partly a portion of a street formerly known as Duval Street in the City of Austin, Travis County, Texas, same being more particularly described by metes and bounds as follows:

BEGINNING at an iron stake at the point of intersection of the east line of San Jacinto Boulevard with the westerly prolongation of the south line of Park Place;

THENCE, with the westerly prolongation of the south line of Park Place S 60° 48' E 40.02 feet to a point and from which point a square steel pin found at the northwest corner of Lot 66 of College Court, a subdivision of record in Book 2 at page 222, Plat Records of Travis County, Texas bears S 60° 48' E 30.02 feet;

THENCE, following a line 30.00 feet west of and parallel to the west line of said Lot 66, S 31° 09' W 101.48 feet to a point in the east line of San Jacinto Boulevard;

THENCE, with the east line of San Jacinto Boulevard N 9° 25' E 107.78 feet to the point of beginning.

The motion, seconded by Councilman White, carried by the following vote:
Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, heretofore by resolution, on the 1st day of August, 1957, and by resolution, on the 13th day of November, 1958, the City Council of the City of Austin, Texas, duly passed and adopted resolutions designating Thomas Jefferson Heights, Kealing Project, as an Urban Renewal Area; and,

WHEREAS, the Housing and Home Finance Administrator was requested to reserve for an Urban Renewal Project in such proposed Urban Renewal Area, Federal capital grant funds in an amount sufficient to enable the City of Austin to finance the undertaking of the Project; and,

WHEREAS, the filing of an application by the City of Austin for an advance of funds from the United States of America in an amount not to exceed \$47,755.00 for surveys and plans for an Urban Renewal Project in such area was approved; and,

WHEREAS, pursuant to such resolution, application for such funds was made, and subsequently approved and granted, and a contract for planning advance for surveys and plans for such Urban Renewal Project, dated February 13, 1958, and as amended May 1, 1958, designated as Contract No. TEX. R-20(A) for \$47,755.00, by and between the United States of America acting by and through the Housing and Home Finance Administrator, and the City of Austin, Texas, as the Local Public Agency, was made and executed; and,

WHEREAS surveys and planning studies conducted to date show the need for additional funds to carry out the necessary planning work in the amount of \$18,753.00; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the filing of a Survey and Planning Budget revising the amount of funds from \$47,755.00 to \$66,508.00 is hereby approved, and that the City Manager be, and he is hereby authorized and directed to execute and file such budget revision with the Housing and Home Finance Administrator, and to provide such additional information and to furnish such documents as may be required by said Administrator, and to act as the authorized representative of the City of Austin.

The motion, seconded by Councilman Bechtol, carried by the following vote:
Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on June 8, 1959, for the furnishing of 50,000 pounds of sodium hexametaphosphate for use in the Filter Plants; and,

WHEREAS, the bid of Dearborn Chemical Company in the sum of \$7,041.30 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Purchasing Agent of the City of Austin, and by the Acting City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of Dearborn Chemical Company in the sum of \$7,041.30 be and the same is hereby accepted, and S. Reuben Rountree, Jr., Acting City Manager of the City of Austin is hereby authorized to enter into a contract on behalf of the City with Dearborn Chemical Company.

The motion, seconded by Councilman Perry, carried by the following vote:
Ayes: Councilmen Bechtol, ~~Palmer~~, Perry, White, Mayor Miller
Noes: None

The Acting City Manager reported on the status of the swimming pool at East District Park, stating the opening now would not be on schedule but would be delayed until about July 1st. The Mayor requested that details be worked out, and the matter was referred to the Acting City Manager and City Attorney to see if this pool could be opened for one day on June 19th.

MR. G. C. CRAWFORD, Marlow Heights, appeared concerning the opening of a road, which the group was promised several months ago. The Acting City Manager reported that the extension of Kleberg Lane over to the new Manor Road had been started but the F.A.A. asked that all work be stopped as traffic at this location would interfere with their landing system. At this time another route is being planned, and this is now being worked out.

The Council went over the pending list. Item 17, "Action of proposed purchase of two acres of land needed for Reservoir just west of Balcones Trail on Spicewood" was discussed. The City Attorney and Councilman Palmer made a report on this. No action was taken at this time.

On Item 18, "Action on request of a citizen to buy remnant of land 14'x185' on south side of Oltorf on the creek". Councilman White made a report on this, that this matter should be held up for a while for further checking to see if the City needed this strip of land.

MR. DAVID COLE was called in by the Council to discuss his ball team activities. Councilman Bechtol explained that utilities furnished the various ball teams were charged to the Recreation Department's budget, and the Council had considered establishing a policy whereby the utilities furnished would be to teams affiliated with a national organization or under the supervision of the Recreation Department; and to qualify with either, financial information must be filed. Mr. Cole explained about his ball park and stated that MR. MONROE LOPEZ had furnished most of the expenditures of getting the park in condition. Mr. Cole had leased the land on which the park is located. The Director of Recreation and members of the Council pointed out what was expected of those who operate these ball parks as non-profit organizations. Councilman Palmer stated the Council would go ahead and adopt the policy as discussed previously, and that Mr. Cole had indicated he would comply.

Councilman Bechtol moved that the name of Old Bouldin Avenue be changed to CIVIC CIRCLE. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

There being no further business, the Council adjourned at 12:00 noon,
subject to the call of the Mayor.

APPROVED

Tom Miller.

Mayor

ATTEST:

Elin Hoosley
City Clerk